

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING  
PHARMACY, INC. PRODUCTS LIABILITY  
LITIGATION

THIS DOCUMENT RELATES TO:  
All Actions

MDL No. 2419  
Master Docket No.: 1:13-md-2419-RWZ

Honorable Rya W. Zobel

AMENDED NOTICE OF DEPOSITION OF SAINT THOMAS OUTPATIENT  
NEUROSURGICAL, LLC PURSUANT TO FED.R.CIV.P.30(B)(6)

Please take notice that the Plaintiffs Steering Committee, pursuant to Rule 30(b)(6), Federal Rules of Civil Procedure, will take the deposition of the designee(s) of Saint Thomas Outpatient Neurosurgical LLC ("Saint Thomas Neurosurgical") at 9:00 a.m. on September 17, 2015 at the offices of Gideon, Cooper & Essary, PLC, 315 Deaderick St., #1100, Nashville, TN 37238.

Pursuant to Rule 30(b)(6) and previous agreements of counsel, Saint Thomas Neurosurgical shall designate one or more employees, agents or representatives to testify as to the matters set forth on Attachment A, except for those matters that counsel has previously agreed that prior testimony will be designated as 30(b)(6) testimony.

September 16, 2015

Respectfully submitted,

/s/ J. Gerard Stranch, IV

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**CERTIFICATE OF SERVICE**

I, J. Gerard Stranch, IV, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: September 16, 2015

/s/ J. Gerard Stranch, IV  
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J. Gerard Stranch, IV

### **Definitions**

As used herein, the following terms shall have the following meanings:

**“Clint”** means Clint Pharmaceuticals, Inc.

**“Fungal meningitis catastrophe”** means the fungal meningitis outbreak that is the subject of this litigation.

**“Howell Allen”** means Howell Allen Clinic, a Professional Corporation.

**“MPA”** means methylprednisolone acetate.

**“NECC”** means New England Compounding Pharmacy, Inc.

**“Saint Thomas Neurosurgical”** means Saint Thomas Outpatient Neurosurgical Center, LLC.

**“St. Thomas Hospital”** means St. Thomas West Hospital.

**“St. Thomas Entities”** means Saint Thomas Health, Saint Thomas Network and St. Thomas Hospital.

**“You”** and **“Your”** means Howell Allen Clinic a Professional Corporation

### **Attachment A**

1. Saint Thomas Neurosurgical’s relationship with Howell Allen, including, but not limited to, the history of Saint Thomas Neurosurgical’s operations, the Operating Agreement, and supervision of Saint Thomas Neurosurgical’s staff.
2. Saint Thomas Neurosurgical’s relationship with St. Thomas Hospital, Saint Thomas Health, and/or Saint Thomas Network.
3. All service agreements between Saint Thomas Hospital, Saint Thomas Health, and/or Saint Thomas Network.
4. Saint Thomas Neurosurgical’s discovery responses.
5. Saint Thomas Neurosurgical’s negotiation of and participation in managed care contracts.
6. Contracts or agreements pursuant to which Saint Thomas Neurosurgical receives reimbursements from health insurance companies.
7. All contracts between Saint Thomas Neurosurgical and/or St. Thomas Hospital, Saint Thomas Network, Saint Thomas Health, and/or Howell Allen.
8. All communications by Saint Thomas Neurosurgical, its agents, employees and/or representatives with any person, company, entity, or governmental body regarding the fungal meningitis catastrophe.

9. Saint Thomas Neurosurgical's marketing and website.
10. The employment status of all personnel who work at Saint Thomas Neurosurgical.
11. The supervision and control of persons who work at Saint Thomas Neurosurgical.
12. Saint Thomas Neurosurgical's billing practices.
13. Saint Thomas Neurosurgical's decision to hire and subsequent employment of John Culclasure, M.D.
14. Saint Thomas Neurosurgical's decision to hire and subsequent employment of Debra Schamberg, R.N.
15. All revenues received by Howell Allen Clinic related to Saint Thomas Neurosurgical.
16. All non-privileged internal discussions, deliberations and investigations that occurred regarding the fungal meningitis catastrophe that is the subject of this litigation.
17. Saint Thomas Neurosurgical's knowledge and use of compounding pharmacies prior to the fungal meningitis catastrophe.
18. Saint Thomas Neurosurgical's communications and/or interactions with NECC and/or its representatives.
19. The employment status of all personnel who work at Saint Thomas Neurosurgical.
20. The supervision and control of persons who work at Saint Thomas Neurosurgical.